

United States District Court, Eastern District of Washington
Magistrate Judge Mary K. Dimke
Richland

USA v. EDGAR OMAR HERRERA Case No. 4:15-CR-06049-EFS-16
FARIAS

Bail Hearing:

12/22/2016

<input checked="" type="checkbox"/> Pam Howard, Courtroom Deputy [Y]	<input checked="" type="checkbox"/> Meghan McCalla, US Atty
<input checked="" type="checkbox"/> Cora Vargas, Courtroom Deputy [R]	<input checked="" type="checkbox"/> Samuel Swanberg, Defense Atty
<input checked="" type="checkbox"/> Erica Helms [tele], US Probation / Pretrial Services	<input checked="" type="checkbox"/> Interpreter – Dulce Busamante
<input checked="" type="checkbox"/> Defendant present <input checked="" type="checkbox"/> in custody USM <input type="checkbox"/> out of custody	<input type="checkbox"/> Defendant not present / failed to appear

<input checked="" type="checkbox"/> Defendant continued detained	<input type="checkbox"/> Conditions of Release imposed
	<input type="checkbox"/> 199C Advice of Penalties/Sanctions

REMARKS

USA is invoking the rebuttable presumption of detention in this case. USA argued why the Court should detain the Defendant and why there are no conditions of release which will reasonably assure Defendant's appearance as required and/or the safety of any other person and the community.

Defense counsel argued why the Defendant should be released including family in the area and an employment history. Defense counsel proposes conditions of release the Court could impose.

Court colloquy with defense regarding what residence Defendant could be released to.

USA presents rebuttal argument.

The Court ordered:

1. USA's Motion for Detention is **granted**; subject to right to return before the Court should circumstances change.
2. Defendant has not overcome the rebuttable presumption of detention as to a risk of flight or danger to the community.
3. Defendant shall be detained by the U.S. Marshal until further order of the Court.